## REMARKS

Claims 47-49 and 51-92 are pending in this application. Claim 47 is the sole independent claim. Reconsideration and allowance of the present application are respectfully requested.

### Claim Rejections Under 35 U.S.C. §103

Claims 47-50, 55-58, 60-62 and 79-92 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shin et al. in view of WO 1998/42098 to LeBourgeois (hereinafter "LeBourgeois"). This rejection is respectfully traversed.

Applicants submit that the combination of Shin and LeBourgeois does not teach or suggest each of the elements of the pending claims. Independent claim 47, in part, recites "constructing a reconstructed stream from the modified stream with a decoder in addressee equipment." (underlining added) Shin does not teach or suggest these features.

In particular, Shin does not teach or suggest that the modified information is transferred to addressee equipment. Instead, in Shin, both the encoding and decoding are preformed in the same system. Specifically, Col. 5, line 1 of Shin discloses that the apparatus shown is figure 2 is a digital image codec apparatus which includes both an encoding unit and a decoding unit. In Shin, the modified stream is not sent from one equipment to another where reconstruction is performed. Thus, Shin does not teach or suggest "constructing a reconstructed stream from the modified stream with a decoder in addressee equipment," as recited in claim 47.

The Office Action noted that Shin does not teach or suggest that "the construction is adaptive and progressive as a function of information coming from a digital profile of an addressee user." However, the Office Action cited LeBourgeois to cure this deficiency.

LeBourgeois does not cure the deficiencies of Shin. LeBourgeois discloses that when a user purchases a product, after authentication, the product download package includes the product ID, paid usage parameters, payment confirmation information, a digest of the fully encrypted product, and encrypted product description key, and double-encrypted security fragments. See at least page 28 of LeBourgeois.

There is no teaching or suggestion in LeBourgeois that the user information, such as the paid usage parameters or the payment confirmation information is used to reconstruct the

modified stream <u>at the user equipment or the reader system</u>. Instead, in LeBourgeois, the paid usage parameters and the payment confirmation information is used by the license server to authenticate and generate the appropriate download product. Even in the license server in LeBourgeois, the user information is not used to reconstruct the image. In LeBourgeois, the usage parameters are used to determine how much of the product has been paid for and to provide what has been paid for by the customer. In LeBourgeois, there is no reconstruction of the modified stream at the user equipment, the reader system or the license server. So, if one skilled in the art were to combine the teaching of Shin and LeBourgeois, as suggested by the Office Action, the combination would not result in "constructing a reconstructed stream from the modified stream with a decoder <u>in addressee equipment</u>, wherein the construction is adaptive and progressive as a function of information coming from a digital profile of an addressee user," as recited in claim 47.

Therefore, the combination of Shin and LeBourgeois does not teach or suggest the combination of elements recited in claim 47. Each of claims 48-50, 55-58, 60-62 and 79-92 depend on claim 47 and incorporate all of the elements of claim 47, in addition to the further elements recited in claims 48-50, 55-58, 60-62 and 79-92. Therefore, Applicants respectfully request that this rejection of claims 47-50, 55-58, 60-62 and 79-92 under 35 U.S.C. §103 be withdrawn.

Claims 51-54, 59 and 73-78 stand rejected under 35 U.S.C. §103(a) as being unpatentable over LeBourgeois in view of U.S. Patent No. 6,760,481 to Chebil et al. (hereinafter "Chebil"). This rejection is respectfully traversed.

Chebil discloses that a discrete wavelet transform is applied to image data and the coefficient are quantized into determined levels Q(W) using a successive approximation quantization method. In Chebil, a memory is used to store the results of a previous quantization step and the outcome of each quantization round is encoded by sending information about the significance of the coefficients with respect to the quantization levels. The sequence of binary symbols representing the significance of the coefficients with respect to the quantization levels is passed to a transfer channel. The signal received from the transfer channel is then decoded,

inverse quantized and inverse transformed in the same system. See at least Col 5, lines 18-56 and Figure 2 of Chebil.

Chebil does not cure the deficiencies of Shin and LeBourgeois. In particular, Chebil does not teach or suggest "constructing a reconstructed stream from the modified stream with a decoder in addressee equipment, wherein the construction is adaptive and progressive as a function of information coming from a digital profile of an addressee user," as recited in claim 47, upon which claims 51-54, 59 and 73-78 depend. Similar to Shin, in Chebil, both the encoding and decoding is performed in the same system. Therefore, Applicants respectfully request that this rejection of claims 51-54, 59 and 73-78 under 35 U.S.C. §103 be withdrawn.

## Double Patenting Rejection

Claims 41, 48, 91 and 92 stand provisionally rejected on the ground of nonstatutory, obviousness-type double patenting as being unpatentable over claims 1, 2, 20 and 21 of copending App. No. 10/11091217, which has at least one Applicant in common with the present application. Applicants respectfully submit that this rejection will be responded to when the pending claims are found to include allowable subject matter.

## Disclaimer

Applicants may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

## CONCLUSION

In view of the above, consideration and allowance are respectfully solicited.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees to Deposit Account No. 22-0185.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 27592-01110-US1 from which the undersigned is authorized to draw.

Dated:                                    Respectfully submitted,


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